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I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marion Elke Hofmann et al. Art Unit: 1653  
Serial No.: 09/445,362 Examiner: K. Carlson  
Filed: May 15, 2000 Customer No.: 21559  
Title: MYOCARDIUM-AND SKELETAL MUSCLE-SPECIFIC NUCLEIC ACID, ITS PREPARATION AND USE

Assistant Commissioner for Patents  
Washington, D.C. 20231

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STATEMENT UNDER 37 C.F.R. § 1.825

In reply to the Office Action mailed February 21, 2001 and as required by 37 C.F.R. § 1.825(a), enclosed is an amended sequence listing consisting of 9 sheets to be inserted at the end of the application.

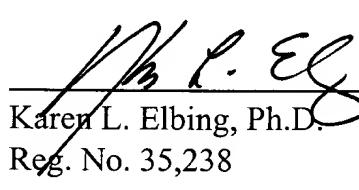
The amendments made were required by the Examiner in the communication mailed in February, and support for them can be found in the application as filed at pages 26-36. I hereby submit that the substitute sheets contain no new matter.

As required by 37 C.F.R. § 1.825(b), enclosed is a diskette containing a copy of the sequence listing in computer readable form including all previously submitted data with the amendments incorporated therein. The contents of the computer readable form are the same as the contents of the paper sheets.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

Date: 6 April 2001

  
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